

REMARKS

This paper is filed responsive to the Office Action mailed November 17, 2004. A Petition for Extension of Time is being filed concurrently herewith. Presently, claims 1, 4, 6 to 10 and 13 to 28 are pending in the application. Claim 7 stands rejected under 35 U.S.C. §112, second paragraph. Claims 1, 4, 6, 21 and 23 to 25 stand rejected under 35 U.S.C. §102(b) over the Markham U.S. Patent No. 5,176,699. Claims 1, 4, 6 and 22 to 25 stand rejected under 35 U.S.C. §102(b) over the Sacker et al. U.S. Patent No. 5,776,146. Claims 8 to 10 stand rejected under 35 U.S.C. §103(a) over Markham or Sacker et al. Claims 16 to 18, 27 and 28 stand rejected under 35 U.S.C. §103(a) over Schad (WO 96/30058) in view of either Markham or Sacker et al. Claims 19, 20 and 26 are indicated as containing allowable subject matter and claims 13 to 15 are allowed. Applicants respectfully traverse the rejections and request reconsideration and reexamination of the application.

Regarding the rejections over the art, Applicants have incorporated the subject matter from allowed claim 14 into independent claim 1 and the subject matter indicated as being allowable from claim 19 into independent claim 16, thereby mooting the rejections.

The Examiner has rejected claim 7 under 35 U.S.C. §112, second paragraph on the reasoning that connector housings and luer locks lack first and second parts rotatable with respect to each other about a pivot. Applicants respectfully disagree. These devices operate by having first and second parts rotate into locking engagement about each other thereby forming a pivot.

Responsibilities for prosecuting this case have been transferred from the Knobbe Martins firm to the patent law department at Johnson & Johnson. Accordingly it now bears the docket no. ASP-3 and Applicants request that this designator be updated in the PTO records. Also, please direct no further mailings to the Knobbe Martins firm as their Power of Attorney has been withdrawn and they are no longer authorized to prosecute this case. Please see the Revocation of Power of Attorney submitted September 5, 2003.

Serial No. 09/746,990

Applicants respectfully submit that the application is presently in condition for allowance and request favorable reconsideration and early notice of allowance. If it would be helpful, the Examiner is encouraged to contact Applicants' attorney at the telephone number listed below.

Respectfully submitted,

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